

care of the entire military retiree population, it is a good first step to addressing this duty we have to take care of our nation's career service men and women. I urge your strong support of this important amendment.

RECOGNIZING DR. SPENCER PRICE FOR RECEIVING THE GENERAL DOUGLAS A. MACARTHUR LEADERSHIP AWARD

### HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 19, 2000

Mr. CHAMBLISS. Mr. Speaker, I would like to recognize a distinguished gentleman from Georgia's 8th District who is visiting Washington this week as one of six outstanding National Guard officers in the country, Dr. Spencer Price.

Dr. Price has been awarded the prestigious General Douglas MacArthur Leadership Award for his dedication to both the medical and military community. Dr. Price is a respected internal medicine specialist at The Medical Center of Central Georgia in Macon and is also a member of the Georgia Army National Guard. In addition, Dr. Price serves as a surgeon for the Georgia Guard's 121st Infantry Battalion.

Dr. Price has made a career of serving people and saving lives, and we all know this world needs more people who are willing to put selfishness aside and dedicate themselves to serving their community and their country. As a Member of Congress from Georgia and a member of the House Armed Services Committee, I have been fortunate to know Dr. Price and have had several opportunities to speak with him about issues facing both the Georgia Guard and America's military. His insight is always respected.

Mr. Speaker, Georgia is rich in military heritage and we have always been home to incredible leaders and public servants. Dr. Spencer Price is one of those people. He is an outstanding American, and it is an honor to know him.

HONORING THE 75TH ANNIVERSARY OF THE VFW NATIONAL HOME FOR CHILDREN

### HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 19, 2000

Ms. STABENOW. Mr. Speaker, today I recognize the Veterans of Foreign Wars National Home for Children during their 75th Anniversary Gala Celebration. The VFW National Home for Children, located in Onondaga Township in rural Ingham County, has been serving our country, our state, our families and our children for 75 years. Through the initial efforts and determination of Amy Ross, a young woman from Detroit, this unique and cherished place has grown in the last several decades to include over 70 buildings on 629 acres nicely situated on the Grand River.

The VFW National Home for Children has created an inclusive community to assist fami-

lies of those who served our country who can benefit from the assistance of a caring family environment. The National Home provides a variety of structural programs to help children develop the many skills that will enable them to succeed as young adults. Each of these programs, such as family living environment for orphans, single parent programs and preschool education and day care, provide essential assistance for our veterans and their loved ones. In addition, the Home's Education Department has a library, media center and computers that allow everyone to hone useful skills in our information-age connected economy. Tutoring is provided for students as well.

Mr. Speaker, the National Home also provides a dynamic roster of extra-curricular events throughout the year. These diverse activities include trips to cultural destinations throughout the state and beyond, such as the Detroit Zoo, fishing on Lake Erie, watching hockey games in Kalamazoo, canoeing on the Grand River, cross-county skiing and spending a day at Cedar Point in Ohio.

I was proud to support the VFW National Home for Children as a state legislator, and I am proud to rise today to commend the VFW National Home for Children on their 75th anniversary. This is a milestone which highlights many decades of service and commitment to the betterment of our future leaders.

IN MEMORY OF VICKI LEE GREEN

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 19, 2000

Mr. McINNIS. Mr. Speaker, I wanted to take this moment to recognize the life of a friend of mine, Vicki Lee Green. Vicki was a wonderful woman who was loved by many. She will be greatly missed by friends, relatives, business associates, and acquaintances.

Vicki was a Colorado native born in Palisade, Colorado on a peach farm on April 1, 1949. She was active in athletics and cheerleading throughout her high school and college. Vicki went to Mesa State College in Grand Junction, Colorado where she met her husband Lee Green. In 1970 they were married and in 1971 they moved to Glenwood Springs where they gave birth to their daughter Tonya.

In Glenwood Springs, Vicki worked as an exercise and ski instructor at Ski Sunlight. Vicki later took a real estate class and discovered her abilities as a salesperson, leading her to become a real estate agent. Vicki went on to create the latest real estate firm in the area and soon she was recognized as one of the top realtors in Colorado. Vicki earned a strong reputation for her business ability. Along with her business affairs, she provided many contributions to the community and the local college (CML).

Vicki was very dedicated to her family: her husband Lee, her brother Bill, her daughter Tonya, and her sister-in-law Jeannie. Vicki was so proud of her daughter in that among other things Tonya decided to follow her mom's footsteps as a realtor. Vicki considered her friends as family and on any occasion would assist them as only family could.

In the very broadest of terms, Vicki was a beautiful person who showed her compassion and love in many ways. Despite a battle of many years, her disease ravaged body finally surrendered, though Vicki's mind fought the good fight until the end. Memories of Vicki will remain solidified in the minds of many, many people for years to come. Vicki will be deeply missed by those of us who were fortunate enough to know her.

FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

SPEECH OF

### HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 17, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes.

Mr. REYES. Mr. Chairman, I insert the following materials for the RECORD.

ASSISTANT SECRETARY OF DEFENSE,

Washington, DC, May 17, 2000.

Hon. FLOYD D. SPENCE,

Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to Section 1027(b) of the National Defense Authorization Act for fiscal year 2000 (Public Law 106-65, Oct. 5, 1999), please find the enclosed report on the use of military personnel to support civilian law enforcement. The report addresses:

1. The plan described in Section 1027(a);
2. A discussion of the risks and benefits associated with using military personnel to support civilian law enforcement;
3. Recommendations; and
4. The total number of active and reserve members, and members of the National Guard whose activities were supported using funds provided under section 112 of Title 32, United States Code, who participated in drug interdiction activities or otherwise provided support for civilian law enforcement during fiscal year 1999.

Thank you for your continued support of the Department's counterdrug efforts. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

(For Brian E. Sheridan).

Enclosure: As stated.

CC: The Honorable Ike Skelton, Ranking Minority Member.

REPORT PURSUANT TO §1027 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000, PUBLIC LAW 106-65, OCTOBER 5, 1999

Pursuant to §1027(b) of the National Defense Authorization Act for Fiscal Year 2000, Public Law 106-65, the Department of Defense is required to report to Congress on use of military personnel to support civilian law enforcement. The report is set out below.

Subsection (b)(1)

Section 1027(a)(1) plan to assign members of the Army, Navy, Air Force, or Marine

Corps to assist the Immigration and Naturalization Service or the United States Customs Service should the President determine, and the Attorney General or the Secretary of the Treasury, as the case may be, certify, that military personnel are required to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

As a first step towards compliance with Section 1027(a), Department of Defense (DoD) representatives met with the senior leadership of the Immigration and Naturalization Service and the United States Customs Service on several occasions, to identify any requirements that either agency had that would necessitate actually assigning members of the Army, Navy, Air Force, or Marine Corps to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers. In the end, neither the Immigration and Naturalization Service or the United States Customs Service could envision a scenario which would require such assignments. Instead, both agencies expected that they would use the existing system of plans and procedures to increase the level of support from DoD personnel who would report through the existing military chain of command. Both the Immigration and Naturalization Service and the United States Customs Service agreed that the current level of counterdrug support that DoD provides in the form of Title 1004 Domestic support through Joint Task Force (JTF) 6 and Title 32 State Plans National Guard support is adequate to meet their current requirements. The fact that neither agency envisioned requirements to assign military members to their agencies precluded DoD's development of a plan.

#### Subsections (b)(2) & (3)

In light of the foregoing, DoD could not assess the risk and benefits and could not make recommendations regarding the functions outlined in the plan associated with using military personnel to provide law enforcement support described in subsection (A)(2).

#### Subsection (b)(4)

The total number of active and reserve members, and members of the National Guard whose activities were supported using funds provided under section 112 of title 32, United States Code, who participated in drug interdiction activities or otherwise provided support for civilian law enforcement during fiscal year 1999.

Section 112 of Title 32, United States Code authorizes the Secretary of Defense to fund the Governors use of National Guardsmen, acting in state status, for drug interdiction and counter drug activities. Consequently, there were no active and reserve members, who participated in drug interdiction activities or otherwise provided support for civilian law enforcement during fiscal year 1999, whose activities were supported using funds provided under section 112 of Title 32. There were 3,429 National Guardsmen, who participated in drug interdiction activities or otherwise provided support for civilian law enforcement during fiscal year 1999, whose activities were supported using funds provided under section 112 of Title 32, United States Code.

#### CONCLUSION

During informal discussions with the Immigration and Naturalization Service and the United States Customs Service, both agencies responded that they could manage normal traffic flow at the border and accordingly, they could not envision any require-

ments that would require assigning members of the Army, Navy, Air Force, or Marine Corps to their respective agencies to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers. In emergencies the DoD will respond to requests for support as required. This type of support request does not necessitate assigning members of the Army, Navy, Air Force, or Marine Corps to the requesting agency. Instead, DoD develops plans to support other federal agencies in cases of an emergency situation such as, operation "Graphic Hand" which is implemented in case of a postal service strike, and operation "Garden Plot" which is implemented in the event of civil disturbances that exceed the capabilities of civilian law enforcement. Of particular interest for the purpose of this report is operation "Distant Shores" which is implemented to support the Immigration and Naturalization Service in immigration emergencies. Within DoD, the Director of Military Support is the executive agent for the DoD for domestic support. Director of Military Support manages plans and directives to facilitate support requests from other agencies. These and other plans are updated annually to meet new requirements that arise or to address changes requested by the supported agencies. To execute a plan, the agency requests support through the Executive branch and a request is sent to the Secretary of Defense for possible tasking to the Director of Military Support. The Director then coordinates the DoD response required by the emergency situation.

Outside the terrorist and drug trafficker support there exist a good example of DoD support and planning. The following is a short synopsis from a letter signed by Attorney General Janet Reno of how DoD supports Federal law enforcement agencies during declared emergency situations using the Mass Immigration Emergency Plan (attached), referred to as "Distance Shores" by DoD: "The purpose of the Mass Immigration Emergency Plan is to protect the national security and facilitate the coordination of all types of Federal emergency response activities to deal with emerging or ongoing mass illegal immigration to the United States. The Plan outlines the planning assumptions, policies, concept of operations, organizational structures, and specific assignments of responsibility of the departments and agencies in working together to enforce Federal laws to protect the sovereignty and security for the United States."

Additional factors that should be considered in the context of assigning members of the armed forces to the Immigration and Naturalization Service and the United States Customs Service are that doing so harms military readiness, and that the risk of potential confrontation between civilians and military members far out weighs the benefit.

Section 1027 requires that the members that are assigned to assist the federal law enforcement agencies receive law enforcement training. It is not in DoD's military interest to require training in search and seizure arrests, use of force against civilians, criminal processing techniques, preservation of evidence, and court testimony. This type of training has minimal military value and detracts from training with warfighting equipment for warfighting missions. Furthermore, this type of training competes with military training for the member's time. It will lead to decreased military training, which reduces unit readiness levels, military preparedness, and overall combat effectiveness of the Armed Forces.

Any expansion in the potential for armed confrontation between military and civilians in the United States increases the risk of a serious incident involving the loss of life. DoD's experience with the incident near Marfa, Texas illustrates graphically that risk.

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#### MASS IMMIGRATION EMERGENCY PLAN

##### FOREWORD

The Mass Immigration Emergency Plan presents guidelines for a coordinated effort by the Federal government, at the national, regional, and local level, to enforce Federal laws to deter, interdict, and control massive illegal immigration to the United States. The Plan draws on the unique resources, authorities, and capabilities of a large number of Federal departments and agencies, with the support of State and local government and voluntary agencies, to work together to maintain the integrity of our national borders, protect public health, and control the admission of immigrants and refugees.

The Mass Immigration Emergency Plan was developed through the efforts of 37 departments and agencies, and the special work of the Immigration and Naturalization Service (INS) Intelligence Division at the national level, and INS regional and district offices and Border Patrol sectors. The INS has worked to ensure that departments and agencies with identified responsibilities in the Plan have fully participated in planning and exercise activities in order to develop, maintain, and enhance the concerted Federal emergency response capability.

The purpose of the Mass Immigration Emergency Plan is to protect the national security and facilitate the coordination of all types of Federal emergency response activities to deal with an emerging or ongoing mass illegal immigration to the United States. The plan outlines the planning assumptions, policies, concept of operations, organizational, structures, and specific assignments of responsibility of the departments and agencies in working together to enforce Federal laws to protect the sovereignty and security of the United States.

The Department of Justice appreciates the cooperation and support of those departments and agencies which have contributed to the development and publication of this plan.

JANET RENO,  
Attorney General.

#### BASIC PLAN

##### OVERVIEW

The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) establishes authority and procedures for controlling immigration to the United States. The Act charges the Attorney General with the administration and enforcement of all laws relating to immigration and naturalization of aliens.

During 1981, the President of the United States directed the Attorney General to coordinate the development of a contingency plan for a government-wide response to a mass illegal immigration emergency. In January 1983, the Department of Justice completed the preparation of the Mass Immigration Emergency Plan, hereafter referred to as the Plan, which outlined requirements and procedures for a coordinated Federal effort utilizing the resources of appropriate agencies to control an attempted illegal mass immigration.

In 1992 the Attorney General directed the Immigration and Naturalization Service to

coordinate the review of the Plan to address changes in Federal resources which would be available to respond to an immigration emergency, and deal with the recent and emerging problems relating to mass illegal immigration. The Plan, as updated in this edition, is designed to address the sudden or rapidly escalating arrival of large numbers of aliens attempting to enter illegally or being smuggled to the United States.

The Plan describes the basic mechanisms and structures by which the Federal government will deploy resources and coordinates multi-agency law enforcement and other operations to address the emergency situation. In following the model of the Federal Emergency Management Agency's (FEMA) Federal Response Plan for natural and technological disasters, the Plan uses a functional approach to group types of operational and support activities under 10 Emergency Response Functions (ERF) which are most likely to be conducted during a mass immigration emergency. Each ERF is headed by a primary agency, which has been selected based on its authorities, resources, and capabilities in the particular functional area. Other agencies are designated as support agencies for one or more ERF based on their authorities, resources, and capabilities in the particular functional area. Law enforcement and other functions of the Plan

The Plan serves as a foundation for the further development of detailed headquarters, regional, and local plans and procedures to implement Federal and State responsibilities in a timely and efficient manner.

#### PURPOSE

The Plan establishes an architecture for a systematic, coordinated, and effective Federal response. The purpose of the Plan is to:

- Establish fundamental assumptions and policies.

- Establish a concept of operations that provides an interagency coordination mechanism to facilitate the implementation of the Plan.

- Incorporate the coordination mechanisms and structure of other appropriate Federal plans and responsibilities.

- Assign specific functional responsibilities to appropriate Federal departments and agencies.

- Identify actions that participating Federal departments and agencies will take in the overall Federal response, in coordination with affected States.

#### SCOPE OF THE PLAN

The Plan applies to all Federal departments and agencies which are tasked to provide resources and conduct activities in an immigration emergency situation.

Under the Plan, a State means any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

The Plan describes Federal actions to be taken in immediate and ongoing emergency response operations. The identified actions in the Plan, carried out under the ERFs, are based on existing Federal agency statutory authorities and resources.

In some instances, an immigration emergency may result in a situation which affects the national security of the United States. For those instances, appropriate national security authorities and procedures will be used to address the national security requirements of the situation.

#### ORGANIZATION OF THE PLAN

The Plan is organized in four sections:

The Basic Plan describes purpose, scope, situation, policies and concept of operations of Federal response activity.

The Emergency Response Functions Annex describes the planning assumptions, concept of operations, and responsibilities of each ERF.

The Support Annex describes the areas of Financial Management, Public Information, Congressional Relations, and International Relations.

The Appendix to the Plan includes a list of acronyms and abbreviations, definitions of terms, a list of authorities and directives, and indexes of agency references and key Plan terms.

### FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

SPEECH OF

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 18, 2000*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes:

Ms. KAPTUR. Mr. Chairman, I include the following GAO report for the RECORD.

United States General Accounting Office,  
Report to Congressional Requesters  
OCCUPATIONAL SAFETY AND HEALTH.—GOVERNMENT RESPONSES TO BERYLLIUM USES AND RISKS

May 19, 2000

Congressional Requesters

Over the last 50 years, federal policymakers and scientists have attempted to both capitalize on the advantages of beryllium and address health and environmental risks. Beryllium is a strong and lightweight metal that generates and reflects neutrons, resists corrosion, is transparent to X rays, and conducts electricity. It is also a hazardous substance.

Among the organizations that have played key roles in responding to the risks associated with beryllium are the Departments of Defense, Energy, and Labor. The Departments of Defense and Energy are the federal agencies that have most commonly used beryllium. Defense procures components containing beryllium for a variety of weapon systems from private contractors. Energy operates federal facilities (including nuclear weapons production facilities) that use beryllium, and it has responsibility for protecting federal and contract workers at these facilities. Energy has identified at least 17 facilities that use or have used beryllium, and it estimates that about 20,000 current and former workers at these facilities were exposed or potentially exposed to beryllium from the 1940s to the present. The Department of Labor's Occupational Safety and Health Administration has overall responsibility for protecting the health and safety of workers in most workplaces throughout the United States, including those that use beryllium.

This report responds to your request for information on beryllium as a hazardous material and on the health and safety controls over its use. As agreed with your offices, this

report (1) provides information on beryllium's uses and risks and (2) describes selected key events that illustrate the evolution of the federal government's response to risks posed by beryllium. To respond to the second question, we identified and summarized key events from the 1960s through the 1990s involving actions by the Departments of Defense and Energy and the Occupational Safety and Health Administration. Appendix I describes the objectives, scope, and methodology for this review.

#### RESULTS IN BRIEF

Lightness, strength, and other attributes have made beryllium useful in a wide array of products, such as aircraft, spacecraft, X-ray equipment, and nuclear weapons. However, beryllium is considered hazardous. Health effects from high exposure to beryllium particles were first noted in the early 20th century. Beginning in the 1940s, scientists linked exposure

From the 1960s to the 1990s, Defense, Energy, and the Occupational Safety and Health Administration took a number of actions to assess and to respond to risks associated with exposure to beryllium. In reviewing selected key events, we noted that the agencies took the following steps to reduce risks from exposure to beryllium: discontinued testing of rocket propellant containing beryllium, assessed beryllium exposure standards, limited worker exposure to beryllium, established health surveillance measures, and proposed compensation for workers who have chronic beryllium disease. The key events are as follows:

Defense discontinued testing beryllium in rocket fuel by 1970, due in part to concerns about meeting air quality requirements.

The Occupational Safety and Health Administration proposed a more stringent worker exposure standard for beryllium in 1975 based on evidence that it was carcinogenic in laboratory animals. The proposal generated concerns about the technical feasibility of the proposal, impact on national security, and the scientific evidence supporting the proposed change. According to Occupational Safety and Health Administration officials, the agency discontinued its work on the proposal in the early 1980s in response to other regulatory priorities such as lead, electrical hazards, and occupational noise. In 1998, the agency announced that it would develop a comprehensive standard for beryllium by 2001.

Energy improved working conditions at its facilities and implemented medical testing for its current and former workers during the 1980s and 1990s after new cases of chronic beryllium disease were identified during the 1980s. From 1984 through 1999, 149 Energy workers have been diagnosed with definite or possible chronic beryllium disease.

In 1999, Energy issued a rule that established new worker safety controls, such as increased use of respirators and assessing hazards associated with work tasks, for its facilities that use beryllium. Energy also proposed a compensation program for Energy workers affected by chronic beryllium disease, which has been introduced as legislation in the Congress.

The Departments of Defense, Energy, and Labor provided written or oral comments on our report and generally concurred with the information presented. They suggested technical changes, and Labor officials also emphasized that the hazard information bulletin on beryllium cited in the body of this report was a significant effort to protect worker health.